IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 22753 of 2004

Between:

1. Md.H.Ahmed S/o.Late Md.Nazeer Ahmed
   CISF Unit, Salarjung Museum, Hyderabad.
2. Kaleel Baig, S/o. Ameer Baig,
   CISF Unit, Salarjung Museum, Hyderabad.
3. J. Chandu Lal, S/o. J. Shakrunaik,
   CISF Unit, Salarjung Museum, Hyderabad.
4. V. Vijay Kumar, S/o. Shankar Pillai,
   CISF Unit, Salarjung Museum, Hyderabad.

.... PETITIONERS

AND

1. The Deputy Commandant, CISF Unit, Salarjung Museum,
   Jubliee Post, Hyderabad - 2
2. The Group Commandant, CISF GP Head Quarters, NISF Campus,
   Hakeempet, Hyderabad.
3. The Deputy Inspector General, CISF Southern Zone Head Quarters,
   D-Block, Rajaji Bhavan, Beasent Nagar, Chennai - 90, Tamil Nadu.
4. The Director General, CISF Head Quarters, Block No. 13,
   CGO's Complex, Lodhi Road, New Delhi.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the action of the respondents in withdrawing the Assured Career Progression benefit scheme given to the petitioners and ordering for recoveries of the amounts of the petitioners under the said scheme, which were

already recovered by the 2nd Respondent herein basing on the proceedings of the 4th respondent herein vide Proceedings No. 42099/17/2002/Estt.I/1358, dated 7-11-2003 as being arbitrary, illegal and unconstitutional, violative of principles of natural justice and consequential set aside the said proceedings.

Counsel for the Petitioner: MR.D.L.PANDU

Counsel for the Respondents: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court made the following:

-

-

-

ORDER:

This writ petition is filed to declare the action of the respondents in withdrawing the Assured Career Progression benefit scheme given to the petitioners and ordering for recoveries of the amounts paid to the petitioners under the said scheme, which were already recovered by the 2nd respondent herein basing on the proceedings No.42099/17/2002/Estt.1/1358 dated 7-11-2003 of the 4th respondent as arbitrary and illegal.

Heard the learned counsel for the petitioner and the learned Standing Counsel for Central Government.

Admittedly, alternative remedy by filing application under Rule 56 of CISF Rules, 2001 is available to the petitioners so as to bring it to the notice of the higher officials to seek redressal of the grievance.

Therefore, without going into the merits of the case, the writ petition is disposed of with a direction to the respondents to take appropriate decision on the representation that may be filed by the petitioners under Rule 56 of C.I.S.F.Rules,2001 and same shall be disposed of after giving reasonable opportunity to the petitioners within four weeks from the date of filing of such

representation. In the meanwhile, the interim order dated 8-12-2004 granted by this court is vacated.

The writ petition is accordingly disposed of. No costs.

K.C.BHANU,J

20-06-2005

Stp

To

1. The Deputy Commandant, CISF Unit, Salarjung Museum,
   Jubliee Post, Hyderabad - 2
2. The Group Commandant, CISF GP Head Quarters, NISF Campus,
   Hakeempet, Hyderabad.
3. The Deputy Inspector General, CISF Southern Zone Head Quarters,
   D-Block, Rajaji Bhavan, Beasent Nagar, Chennai - 90, Tamil Nadu.
4. The Director General, CISF Head Quarters, Block No. 13,
   CGO's Complex, Lodhi Road, New Delhi.

5. 2 CD copies